

REMARKS

Reconsideration is respectfully requested.

Entry of the above amendments is courteously requested in order to place all claims in this application in allowable condition and/or to place the non-allowed claims in better condition for consideration on appeal.

Status of Claims:

Claims 1, 2, 4, 6, 7, and 12 have been cancelled.

No claims have been withdrawn.

No claims have been added.

Therefore, claims 3, 5, 8 through 11 and 13 are pending in this application.

The Examiner's rejections will be considered in the order of their occurrence in the Office Action.

Part 1 of the Office Action

Claim 12 has been rejected under 35 U.S.C. §112 (first paragraph) as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention.

Claim 12 has been cancelled, and therefore the §112 (first paragraph) rejection of claim 12 is submitted to be moot.

Part 2 of the Office Action

Claims 9, 11 and 13 have been rejected under 35 U.S.C. §112 (second paragraph) as being indefinite.

The above amendments to the claims are believed to clarify the requirements of the rejected claims, especially the particular points identified in the Office Action.

Withdrawal of the §112 rejection of claims 9, 11 and 13 is therefore respectfully requested.

Parts 3 through 5 of the Office Action

Claims 1, 5, 8, 10 and 12 have been rejected under 35 U.S.C. §102(b) as being anticipated by Nishiyama.

Claim 3 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Nishiyama in view of Anctil.

Claim 7 has been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Nishiyama in view of Young.

Claims 1, 7 and 12 have been cancelled. Claims 3, 5 and 8 have been amended to depend from claim 13, which has been indicated as being allowable if the wording issues are resolved. It is submitted that the amendments to claim 13 have resolved the working issues, and therefore claims 3, 5, and 8 are allowable.

Withdrawal of the §102(b) and §103(a) rejections of claims 1, 3 and 7 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

WOODS, FULLER, SHULTZ & SMITH P.C.

/Jeffrey A. Proehl/
Jeffrey A. Proehl (Reg. No. 35,987)
Customer No. **40,158**
P.O. Box 5027
Sioux Falls, SD 57117-5027
(605)336-3890 FAX (605)339-3357

Date: October 13, 2009